

1 William B. Curtis, Esq. (TX SBN 00783918)  
2 (*admitted pro hac vice*)  
3 **CURTIS LAW GROUP**  
4 12225 Greenville Ave., Suite 750  
Dallas, Texas 75243  
Telephone: (214) 890-1000  
Facsimile: (214) 890-1010

5

6 **IN THE UNITED STATES DISTRICT COURT**  
**FOR THE DISTRICT OF ARIZONA**

7

8 **IN RE: BARD IVC FILTER PRODUCTS**  
**LIABILITY LITIGATION**

9 This document relates to:

10 *JAIME ROMERO,*

11 *Plaintiff,*

12 *v.*

13 *C.R. BARD AND BARD PERIPHERAL*  
14 *VASCULAR, INC.*

15 *Defendants.*

**MDL No. 2:15-MD-02641-PHX-DGC**

**Civil Action No. 2:18-cv-00021-DGC**

**PLAINTIFF'S REONSE TO  
DEFENDANTS' MOTION TO DISMISS  
PLAINTIFF'S COMPLAINT FOR  
FAILURE TO COMPLY WITH  
AMENDED CASE MANAGEMENT NO. 5**

16

17 Plaintiff files this Response to the Motion to Dismiss [DOC 19497] filed by Defendants C.R.  
18 Bard, Inc and Bard Peripheral Vascular Inc.

19 1. On July 13, 2019, the Defendants filed their Motion to Dismiss against Plaintiff Jaime  
20 Romero for failure to provide a Plaintiff Profile Form.

21 2. Before the filing of Defendants' Motion to Dismiss, Counsel for Plaintiff and Counsel for  
22 Defendants agreed to engage in settlement talks with all of Curtis Law Group's clients filed in this  
23 MDL, which includes Plaintiff Jaime Romero. Pursuant to the Case Management Order no. 42, and  
24 agreement between counsel, Plaintiff Jaime Romero was placed in Track 2.

25 //

3. Plaintiff Jaime Romero completed and return the required Profile Form. The PPF was served on Bard's counsel on July 26, 2019. See **Exhibit A** attached hereto.

WHEREFORE, Plaintiff Jaime Romeo respectfully requests that the Court deny the Defendants' Motion to Dismiss [doc19497] as the parties had previously agreed (prior to the filing of Defendants' motion) to engage in settlement talks (CMO. 42 "Track 2"), and the fact that Plaintiff has submitted the required Profile Form making this issue moot, and for all other just and appropriate relief.

Dated: July 27, 2019

Respectfully submitted,

CURTIS LAW GROUP

/s/ William B. Curtis  
WILLIAM B. CURTIS  
Texas State Bar No. 00783918  
12225 Greenville Avenue, Suite 750  
Dallas, TX 75243  
Telephone (214) 890-1000  
Facsimile (214) 890-1010  
Email: bcurtis@curtis-lawgroup.com

**ATTORNEY FOR PLAINTIFF**

1  
2  
3  
4                   CERTIFICATE OF SERVICE  
5  
6

7                   I hereby certify that on July 27, 2019, a copy of the foregoing Plaintiffs' Response to  
8 Defendants Motion to Dismiss was filed electronically, and notice of the filing of this document will  
9 be sent to all parties by operation of the Court's electronic filing system to CM/ECF participants  
10 registered to receive service in this matter. Parties may access this filing through the Court's system.  
11

12                   */s/ William B. Curtis*  
13                   William Curtis  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28